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VARIATION OF POPULATION TRENDS IN INDIA

extreme natural increase with minimal variability stagnation (i.e. arrest almost without variability) variability was moderate just beyond the delta's tract stretching north-westwards through Bihar the Sarda river, moderate increase was generally Assam, on the other hand, the recent rush of high to extreme increase to be marked by high low, forested ridge country bordering eastern the south, in the deltas of Madras, were alike in ere was arrest of growth, as in the delta of the her the increase was considerable to rather high, and Godavari. But where rice has been pushed available water supply scarcities recur and is great, even though increase is usually consider- lands, may be rather high. In the Lava lands of oderate increase was the result of a chequered, that in the Agencies of Rajputana and Central d the net arrest of population so general except the millet and wheat lands of western Oudh and e Jumna gorge v was usually moderate both in w to moderate increase, and along the western eir stagnation. In the Punjab, moderate to great sub-Himalayan districts, from which so many wards to the canal colonies; and in the latter ent the population figure leaping up, and with These comparisons thus take us further than t change alone, with which we began. They rpretation of regional capacity for increase of

criterion of variability in rate of change, though to be most helpful where the percentage change e. For these regions are the hardest hit, but in isis is essential. Recognition of stagnation where are virtually nil is, I think, particularly necessary; occasional and catastrophic but perennial, fails to is left untended. This has been most notably d but stagnant population of the least prosperous n plains which extend from central Bengal to the southwards to the delta of the Cauvery.

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A STUDY OF THE CONFLICT BETWEEN THE REPUBLICS OF PERU AND ECUADOR

L. A. WRIGHT

THERE is a suggestion that when a cause lasts for a long time, it must be about something proportionately small: for if it were not, it would be in the interest of the parties to hurry it to an end. But this is not the case here: the dispute is at once venerable (being well over a hundred years old) and important. Important to Peru and Ecuador in that it involves more than 100,000 square miles of valuable land, and important to everyone else in that, until it is settled, the general constitution of the Americas remains incomplete, and solidarity between all American states merely sentimental.

There are three territories which go to make the matter of the quarrel.

First, there is part of the province of Tumbes on the Pacific seaboard, an area perhaps 30 miles long and 50 miles wide. It is a desert, and in itself would be worth nothing, were it not that four rivers cut across it. These, as though to aggravate the politics, change their courses with the years, and this has the double effect of queering boundaries and of giving the lands some value, for the old river beds are good for growing tobacco.

The next area, the province of Jaen, sometimes called Jaen de Bracamoros, is completely different. In area it is about 4000 square miles and it lies directly to the east of the Cordillera of the Andes, that is, on the opposite side to Tumbes and the Pacific. The River Huancabamba, a tributary of the Marañón and thence of the Amazon, flows round three of its sides.

Jaen is a land easy to admire and difficult to make use of. There is good soil in which almost anything will grow: maize, tobacco, cacao, cotton, rice; but ravines and bad weather stand in the way of all traffic. Raimondi, the geographer of Peru, who visited it in 1868, remarked of it that in dry weather you stick in the mud and in wet you drown. There are no roads in Jaen to this day, but two pueblos on its western edge are now joined by road to the Pan-American highway.

There are mists, damp woods, small plantations, and deserted townships in

Jaen. These last have come about, not so much because people have died, as that they have changed their minds; there is a trace of nomadic spirit in the Indians. When Raimondi visited Jaen he found that the capital had already twice changed its site since the time of the Spanish dominion, having finally moved itself into a bog. This shifting may account for the fact that the early geographers are always wrong in their bearings of the pueblos.

The position of Jaen in the dispute is that it is the most Peruvian in fact and perhaps the most Ecuadorean by right.

The third province, which usually goes by the name of The Oriente and sometimes Maynas General Command, is by far the largest of the three, being well over 100,000 miles square, by far the most valuable (wood, petrol, rubber) and by far the most difficult to allot. In shape it is a great fan whose ribs are the head waters of the Amazon and whose edge is the Ecuadorean part of the Cordillera of the Andes. The south-western and north-western zones of the Oriente, those which lie along the Cordillera, are called Macas and Quijos.

The population of this empire of forests and rivers is always matter of doubt. The people move from one place to another, though with more method than the people of Jaen. Villavicencio, the Ecuadorean geographer, reports that the fruits which grow on the banks of the Amazon rivers ripen at the opposite time of year to those which grow on the higher lands towards the Andes, and that in this way there is a continual succession of harvests for the animals and for the people who shuttle to and fro in order to gather it. Be this as it may, a true census cannot be made because most of the people are in the depths of the forests and decline to come out.

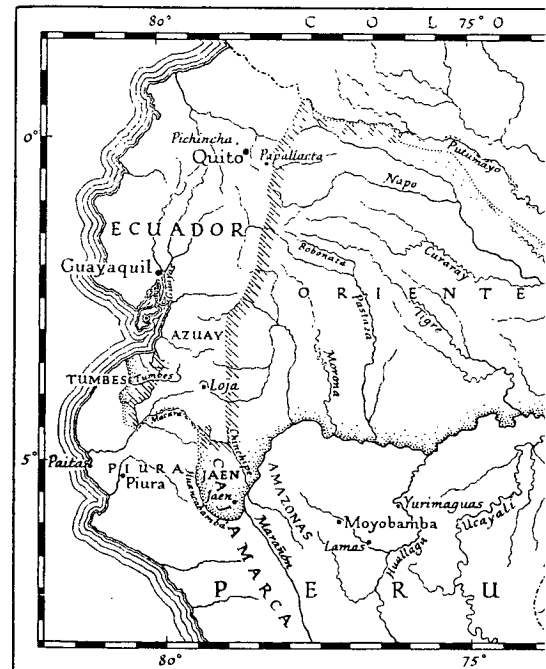
Other than by air there is no means of getting from one part of the Oriente to another except by the rivers, so that the few pueblos are built near or on the waters edge. In the seventeenth century, when the Jesuit missions were at their height in these parts, the Fathers succeeded in drawing a good number of the Indians out of the forests and established long strings of fluvial villages. But these decayed with the expulsion of the Society of Jesus from the Americas, and the next large-scale excitement was not till the late nineteenth century when the boom in wild rubber brought the Indians back to the rivers and the subsequent ruthlessness of the exploiters drove them back again into the woods. From which, so far as we can see, they have not yet come out.

For those who were not born in it the climate of the Oriente is nothing short of death, and no outsider would live there without some overpowering motive. The Jesuits and the rubber gatherers, each in his own way, had this motive, but the South Americans of our day have not; so that what efforts have been made towards civilization have been carried out as a duty and not as a delight. Very few of the disputants have ever seen the Maynas General Command, and no one of them has seen it all. In this way discussion about it is built up on two rival traditions of map reading and not on any information at first hand.

If it were possible to sum up so old and involved a quarrel in a few words it might be said to amount to this: Ecuador maintains that the basis on which all the South American states were set up was the ancient Spanish Royal Audiencias which were universally accepted by law as the proper limits of the new states. Given the fact that South America chose to live on as a group of

sovereign states and not as one organic whole, the colonial boundaries is the one principle which principle to which all others (such as that of "Uti accepted by law) must be subjected. Furthermore ancient colonial boundaries cannot be affected made by the old administration shortly before its conditions peculiar to the time and which can ha in the general history of America.

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The disputed territories of Tumbes, Jaen

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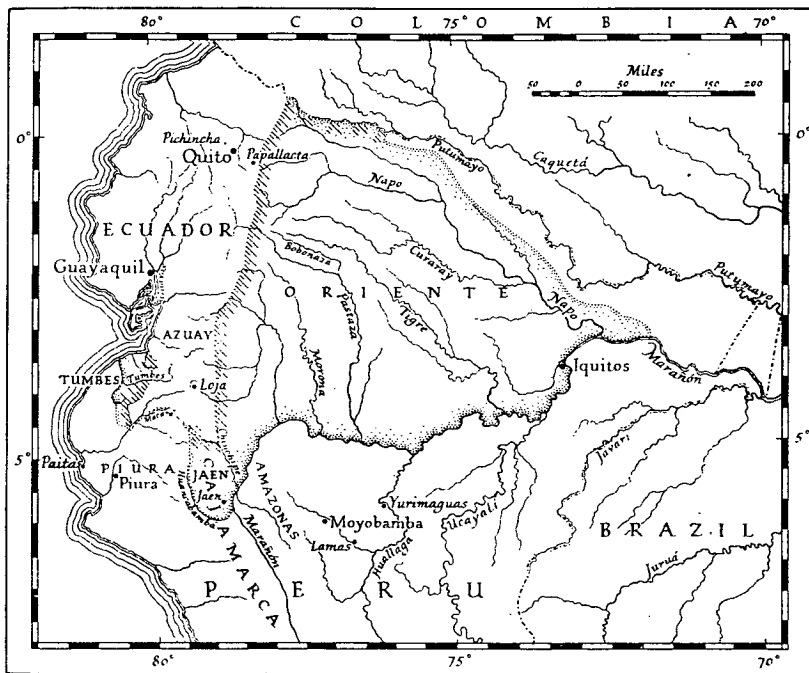
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so old and involved a quarrel in a few words this: Ecuador maintains that the basis on which the were set up was the ancient Spanish Royal finally accepted by law as the proper limits of the South America chose to live on as a group of

sovereign states and not as one organic whole, then this inviolability of the colonial boundaries is the one principle which cannot be broken and the principle to which all others (such as that of "Uti Possedetis" which was also accepted by law) must be subjected. Furthermore, Ecuador points out, the ancient colonial boundaries cannot be affected by the last minute shuffles made by the old administration shortly before its death, shuffles made to meet conditions peculiar to the time and which can have no significance whatever in the general history of America.

Peru on her side opens her case by pointing out that she had already been a sovereign state for many years when Ecuador began. This came about because



The disputed territories of Tumbes, Jaen, and the Oriente

in the early days of the Independence Ecuador formed part of Grand Colombia, and it was only in 1830, after the death of Bolivar, that she started on her own. But previous to 1830, and under colour of a Spanish Royal Cedula of 1802 which had consigned these provinces to the Viceroyship of Peru, Peru had absorbed Tumbes, Jaen, and the Maynas General Command into her own constitution; so that when Ecuador was born they were already part of Peru. To dispute possession of them is tantamount to disputing Peru's right to her own constitution. This she cannot allow and will not even discuss. To her the boundary problem is not "to whom do Tumbes, Jaen, and Maynas belong?" but rather, given that they are Peruvian, "what are their proper boundaries with Ecuador?"

It can be said here and now that Ecuador's case is perfectly logical and

correct: its weakness lies in the fact that her precision does not go very well with the carelessness of South American politics, and that a hundred years of consistent unscrupulousness on the part of her neighbours can go a long way towards destroying primitive rights of the kind that she is claiming.

Peru, whatever may be the strength of her position in law, has only grown into it in the course of long years of patient possession. Now that her sovereignty over the greater part of what she claims is an accomplished fact, she can say that it was in effect hers since the beginning, but this was not what she told Bolivar in the first instance when she put in her claim against Colombia. In other words her case has developed from having been based on a set of doubtful premises (whose chief merit lay in the fact that the other side had no better) to its present flourishing state in which its base is the more solid one of continued possession.

As nations, Ecuador and Peru have very different characters. Ecuador is smaller than Peru, so it is natural for her to take up a position which would seem to involve all the other South American states on her side. Added to her smallness she has a bad flaw in that she is essentially made up of the two rival cities of Quito and Guayaquil who have never yet been able to see eye to eye with one another. This means that her natural state is one of revolution. Thus from 1830 to 1883 she had no less than ten different constitutions. Her civil wars, almost as reliable as a clock, made her a constant temptation to her neighbours; and in this way Colombia holds at least two of her northern provinces, Brazil has knocked off a small triangle of her far east, and it may well be that Peru has absorbed some of her territories on the south and south-east. Peru on her side is large. Her capital of Lima, having, in colonial times, been the seat of the Viceroy, it is not surprising that when she entered into her career as an independent state, she felt it to be her right to regain something of her old precedence. She became powerful, and seemed to be on the point of achieving this when in 1879 she fought a war with Chile and was almost completely destroyed. From that day to this she has been recovering. Peru is a strong character, with unity and cohesion in her parts, and who has been at war with the ideals and the sympathies of the past age. One more point which has to do with the present case: she has more easy access to the Oriente.

The Spanish dominion in the new world was in the first instance divided under two heads: the Viceroyships of Nueva España (Mexico) and Los Reyes (Lima). Under these Viceroyships lay the Royal Audiencias, of which there were four under New Spain and seven under Lima (Los Reyes), these last being the Royal Audiencias of Panama (created 1553), Lima (or Los Reyes) (1542), Santa Fé de Bogotá (1549), Charcas (1559), San Francisco de Quito (1563), Chile (1609), and Buenos Aires (1661).

But these Audiencias were not the same in quality. Those of Lima, Charcas, and Quito, as they lay close to the seat of the Viceroyship, were little more than judicial in character and were presided over by gowned judges. But those which lay farther afield from the capital had large military establishments as well as their court houses, were presided over by Captains-General, and, as the years went by, achieved virtual autonomy.

Thus, in 1717, it was decided to make Santa Viceroyship to include the Captaincy-General (hitherto been an apanage of New Spain) and the first instance this new arrangement was not a success. It was not until 1763, years later, to be finally re-established in 1739. Its first boundary, dated 1740, describes its southern boundary as follows: "From the Pacific seaboard the line follows the ridges and other mountains across the Jurisdiction of Paita and Piura as far as it meets at 6 degrees 30 minutes latitude South. Thence it follows the Cordillera of Piura, Cajamarca, Moyobamba, and Motilone Cordillera of Jeveros and crosses the River Yavaros to its confluence with the Carpí. The boundary follows the Cordillera until it reaches the Solimoes or Amazon; thence it follows the mouth of the Caquetá or Yapurá, at which point it meets Brazil."

It is on this description that Ecuador bases her claim.

From the days of the conquest the city of San Francisco de Quito celebrated for the great Jesuit missions into the interior. From headquarters and from Quito came a great part of the Jesuit population. The journey down into the Oriente was incredibly long. The Fathers stood a fair chance, before they got there, of being killed off and reduced to the size of an orange. To prevent this, the establishments, they needed soldiery. Since, in the Viceroyship, Quito had few soldiers of her own, the Council of the Indies counted on the virtual impossibility of sending troops from Bogotá.

So from that day the odds turned against the Jesuits. The ships on the Marañón, the Chinchipe, the Napo, and the Amazon. The end came in 1776 with the decree which expelled the Jesuits from the Americas.

The weakening and the death of the Quiteno monarchy drove into Spanish territory by the Portuguese. The Council of the Indies and recourse was had to Don Francisco de Paula, who, for seventeen years, had been governor in the Viceroyship. In his first report to the President of the Audiencia of Lima, the next quarter of a century we hear of him handling the authorities, the sixth and last of which is dated 1776. He was a great age and been possessed of great patience. In his report both as they give a fair picture of the state of the Viceroyship in that it was from them that the Council drew up the laws of 1802. He proposed three things: first, that in order to save men and supplies, the territory should be attached to the Viceroyship of Lima; second, that for the bettering of education, the schools be taken out of the hands of the various small bodies and placed to the Apostolic Missionaries of the College of Ocopa; and third, to set up the ecclesiastical administration under one head, a Council to be created in Maynas.

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the fact that her precision does not go very well in American politics, and that a hundred years on the part of her neighbours can go a long way to give rights of the kind that she is claiming. The strength of her position in law, has only grown with years of patient possession. Now that her part of what she claims is an accomplished fact, hers since the beginning, but this was not what the instance when she put in her claim against the case has developed from having been based on the chief merit lay in the fact that the other side is a flourishing state in which its base is the more solid foundation.

Peru have very different characters. Ecuador is natural for her to take up a position which would be in the South American states on her side. Added to her that she is essentially made up of the two rival states who have never yet been able to see eye to eye is that her natural state is one of revolution. She had no less than ten different constitutions. Her change of a clock, made her a constant temptation to her neighbours. Colombia holds at least two of her northern frontiers off a small triangle of her far east, and it may be some of her territories on the south and south-west. Her capital of Lima, having, in colonial times, been a viceroy, it is not surprising that when she entered the present state, she felt it to be her right to regain independence. She became powerful, and seemed to be so when in 1879 she fought a war with Chile and lost. From that day to this she has been recovering, with unity and cohesion in her parts, and who has the sympathies of the past age. One more in the present case: she has more easy access to the

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Thus, in 1717, it was decided to make Santa Fé de Bogotá into a third Viceroyship to include the Captaincy-General of Venezuela (which had hitherto been an apanage of New Spain) and the Audiencia of Quito. In the first instance this new arrangement was not a success: it was abolished six years later, to be finally re-established in 1739. Its Cedula of re-establishment, dated 1740, describes its southern boundary as follows: "From Tumbes on the Pacific seaboard the line follows the ridges and other cordilleras of the Andes across the Jurisdiction of Paita and Piura as far as the River Marañón which it meets at 6 degrees 30 minutes latitude South. To Peru falls the Jurisdiction of Piura, Cajamarca, Moyobamba, and Motilones. The line runs along the Cordillera of Jeveros and crosses the River Yavari or Yauri at its point of confluence with the Carpi. The boundary follows the course of this last until it reaches the Solimoes or Amazon; this it follows as far as the westernmost mouth of the Caquetá or Yapurá, at which point begin the boundaries with Brazil."

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From the days of the conquest the city of San Francisco de Quito had been celebrated for the great Jesuit missions into the Amazonas: Quito was their headquarters and from Quito came a great part of the men and the money. The journey down into the Oriente was incredibly difficult and the good Fathers stood a fair chance, before they got there, of having their heads cut off and reduced to the size of an orange. To prevent this, and to protect their establishments, they needed soldiery. Since, in the days before the new Viceroyship, Quito had few soldiers of her own, these were sent from Lima. But when the Council of the Indies allotted Quito to Santa Fé, no one had counted on the virtual impossibility of sending troops into the Oriente from Bogotá.

So from that day the odds turned against the Jesuits; one by one the townships on the Marañón, the Chinchipe, the Napo, and the Pastaza disappeared. The end came in 1776 with the decree which expelled the Society of Jesus from the Americas.

The weakening and the death of the Quiteno missions gave occasion for a drive into Spanish territory by the Portuguese. This excited the Council of the Indies and recourse was had to Don Francisco Requena, a most able man, who, for seventeen years, had been governor in the Oriente. He submitted his first report to the President of the Audiencia of Quito in 1776, and during the next quarter of a century we hear of him handing further reports to the authorities, the sixth and last of which is dated 1799. He must have lived to a great age and been possessed of great patience. His reports are interesting, both as they give a fair picture of the state of the Oriente in those years, and in that it was from them that the Council drew up the celebrated Cedula of 1802. He proposed three things: first, that in order to help the sending of men and supplies, the territory should be attached to the Viceroyship of Lima; second, that for the bettering of education the missions should be taken out of the hands of the various small bodies of priests and handed over to the Apostolic Missionaries of the College of Ocopa (Peru); finally, to gather up the ecclesiastical administration under one head, a new bishopric should be created in Maynas.

On 15 July 1802 the King published a cedula: "I have resolved that there shall be segregated from the Viceroyship of Santa Fé and from the Province of Quito and aggregated to that Viceroyship" (that of Peru) "the Gobierno and General Command of Maynas, with the towns of the Gobierno of Quijos, except the town of Papallacta, because all these are located on the borders of the Napo river or in its immediate environs. This general command shall extend, not only along the lower Marañón River as far as the frontiers of the Portuguese colonies, but also along all the other rivers emptying into the Marañón on its northern and southern banks, such as the Morona, Huallaga, Pastaza, Ucayali, Napo, Yavarí, Putumayo, Yapurá, and other less considerable rivers, as far up in each as the point at which, because of its cataracts and inaccessible rapids, it ceases to be navigable. There shall also fall to the same General Command the towns of Lamas and Moyobamba, in order that, so far as possible, it may be coextensive with the ecclesiastical and military jurisdiction over those territories."

The fate of this cedula and the respect given to it are lost to us. Between the date of its signing and the time of the Independence there are confused reports of men struggling to enforce it, though whether with success we do not know. After the Independence trace of it is lost, and it is not brought forward as a witness till 1853 when the quarrel is already thirty years old. In Colombia its existence was known but no word was said of it publicly, perhaps because there seem to have been current hopes of its having been burnt when the Archives of the Viceroyship were sacked by the Revolutionaries. Peru certainly knew of it but equally said nothing, probably because express mention of it to Bolivar might have brought him to annul it.

Nor is the exact value of the cedula in law any more certain. The Ecuadorians hold that it is no more than ecclesiastical and military: it specifies towns, lines of communication, areas of influence, but no word is said of territory: it was the custom of the Spanish Crown, when it ordered a change in territorial division, to say so more clearly; furthermore, there was a ruling in Spanish Colonial Law whereby a cedula did not become binding until it was carried out and proved a success: at the time when this cedula was due to be enforced the administration was in no state to do this, and in effect did not.

But the Peruvians maintain that the cedula implied complete sovereignty and that this sovereignty was in fact exercised. To prove what they say they hold documents, and seem constantly to be discovering more.

To put the strict value of the cedula in law on one side, the question turns on what was the importance of the Audiencia in the settlement of boundary disputes. It was in fact the most important unit of civilization in South America. Except in earliest times and except in matters of high policy, it was to the Presidents of the Audiencias and not to the Viceroyships that the South Americans of those days would look. This is seen nowhere more clearly than at the Independence when the attempt to create the Viceroyships into sovereign states failed, and the people declared in no uncertain way that it was most natural to them to exist and grow up as independent and sovereign audiencias.

By the seventeenth century the Administration had fallen away from its

ancient effectiveness. The creation of the Viceroy success: or if it was in some respects, it was not in others. The same difficulties which Requena found to have also existed in the other parts of the Audiencia: the both in Jaen and in the Gobierno of Guayaquil travelling all the way to the High Court of Appeals so much nearer. In all things it seemed natural to have with Lima. In the days before the advancement of the Diocese of Quito were subject to the Archbishop of the Audiencia were subject to the Captain-General's reversal of this by the handing of Quito to Santa Fe all its parts, civil, military, ecclesiastical, seems to have been. In Maynas and Guayaquil this decay became a serious matter. The Council of the Indies ordered the aggregation of the Audiencias (Cedula 1803) to Lima. In the light of the subsequent development of the Audiencias as the nations of the independence made by Spain on the eve of the total collapse of the empire in such a way that Ecuador should stand deprived of its territory? One more consideration in favour of the historical fact that the Republic of Peru was no more than a shadow of Peru than was the Republic of Colombia in form heir to that of Santa Fé. In effect modern Peru is the Audiencia of Los Reyes, therefore she can have the virtue of their having been subject to that viceroy. She has its seat in her ancient capital. In other words she is an engine driver and who has retired, cannot expect a cab.

But whatever the Cedula of 1802 may be worth, it really existed, no one has seriously denied this; secondly, Ecuador's misfortune, for whatever bearing it may have on it has at least given Peru a good reason for occupying the territory as she could lay hands on.

In the year 1809 Ferdinand VII King of Spain was at the hands of Napoleon. This gave rise to a possible war at the hands of Napoleon. This gave rise to nearly all the capitals of Spanish America to appoint a Regent to point out to them that, in the event of Spanish Regency directed by the Usurper, their great loyalty to the King would force them to override any Edicts that might be issued in his name, and, in Ferdinand's name, to take over the authority.

The first city in the South to make this step was Quito. On August 10 the President of Quito, Don Francisco de Paula, up and handed this note: "The Supreme Junta of Quito: The Present state of uncertainty in which the entire annihilation of all legally constituted authorities, which the person and possessions of our beloved King have determined our brothers of the Presidency to do, merits. . . ."

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the cedula in law on one side, the question turns to the Audiencia in the settlement of boundary. The most important unit of civilization in South America and except in matters of high policy, it was the Audiencias and not to the Viceroys that the South should look. This is seen nowhere more clearly than in the attempt to create the Viceroyships into which the people declared in no uncertain way that it should exist and grow up as independent and sovereign

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ancient effectiveness. The creation of the Viceroyship of Santa Fé was not a success: or if it was in some respects, it was not in so far as it included Quito. The same difficulties which Requena found to be so heavy in the Oriente also existed in the other parts of the Audiencia: there were violent complaints both in Jaen and in the Gobierno of Guayaquil against the hardship of travelling all the way to the High Court of Appeal in Bogotá when Lima was so much nearer. In all things it seemed natural and proper for Quito to run with Lima. In the days before the advancement of Santa Fé the clergy of the Diocese of Quito were subject to the Archbishop of Lima and the soldiers of the Audiencia were subject to the Captain-General of Peru. After the reversal of this by the handing of Quito to Santa Fé the entire Audiencia in all its parts, civil, military, ecclesiastical, seems to have fallen into decay. In Guayaquil this decay became a scandal, and to repair it the Council of the Indies ordered the aggregation of the two provinces (Guayaquil Cedula 1803) to Lima. In the light of the subsequent fact of the establishment of the Audiencias as the nations of the independence, ought the muddle made by Spain on the eve of the total collapse of her authority be interpreted in such a way that Ecuador should stand deprived of two-thirds of her natural territory? One more consideration in favour of Ecuador's thesis: it is a historical fact that the Republic of Peru was no more the heir to the Viceroyship of Peru than was the Republic of Colombia in her final and definitive form heir to that of Santa Fé. In effect modern Peru is no more than heir to the Audiencia of Los Reyes, therefore she can hardly lay claim to lands by virtue of their having been subject to that viceroyship which happened to have its seat in her ancient capital. In other words a man who has been an engine driver and who has retired, cannot expect always to ride in the driver's cab.

But whatever the Cedula of 1802 may be worth, two facts are clear: first, it really existed, no one has seriously denied this; second, its existence has been Ecuador's misfortune, for whatever bearing it may have on the final settlement it has at least given Peru a good reason for occupying as much of the disputed territory as she could lay hands on. *

In the year 1809 Ferdinand VII King of Spain was threatened with possible war at the hands of Napoleon. This gave occasion for the citizens of nearly all the capitals of Spanish America to approach their governors and to point out to them that, in the event of Spanish Colonial Policy being directed by the Usurper, their great loyalty to the Spanish Crown would force them to override any Edicts that might be forthcoming from Madrid, and, in Ferdinand's name, to take over the authority themselves.

The first city in the South to make this step was Quito herself. At day-break on August 10 the President of Quito, Don Ruiz de Castillo, was woken up and handed this note: "The Supreme Junta to Count Ruiz, Ex-President of Quito: The Present state of uncertainty in which Spain is plunged, the entire annihilation of all legally constituted authority and the danger to which the person and possessions of our beloved Ferdinand are exposed, have determined our brothers of the Presidency to form Provisional Governments. . . ."

This was the beginning. The following year saw revolts in Buenos Aires, Santa Fé, Caracas, and La Plata. All were directed by juntas, all professed loyalty to Ferdinand, but all later withdrew this and proclaimed Independence in its place. The Spanish Authorities were stunned, perhaps deceived: but when the issue became more clear, they rallied: the juntas destroyed themselves with talking: that of Santa Fé, when in extremity, gave supreme power to Simon Bolivar (1815), bequeathing him therewith an impossible military situation. He was defeated, but returned, and in 1819, at Angostura, created the Republic of Venezuela. This new state was confirmed by the victory of Boyacá, and before the end of the year he proclaimed the Republic of Colombia.

Meanwhile, in the South, the Junta in Santiago de Chile had, in 1817, handed the command to General San Martin who, the following year, secured the independence of Chile and by 1820 was in a position to march northwards into the Viceroyship of Peru. This he did, and on 28 July 1821 he entered Lima and ordered the formation of a Peruvian National Congress. To this assembly he resigned his powers, he himself returning forthwith to Chile. But, as might have been expected, the newly formed parliament had so much to discuss that it had no time to prevent the recapture of Lima by the Spaniards. At this point word was sent to Santa Fé to ask help of Bolivar.

The Republican cause in the North had been going well. On 30 August 1821, at Rosario de Cúcuta, had been signed the Constitution of Grand Colombia, a state built up out of the Audiencias of Santa Fé, Venezuela, and, in anticipation, Quito. For this last had been in the hands of the Spaniards since 1812 when the revolt against Ruiz de Castillo came to an end. Marshal Sucre was sent in the name of Grand Colombia with orders to free Quito from Spain. This he achieved by the Battle of Pichincha, at the same time making it possible for Bolivar to answer the call of the Peruvians and to send armies south to Lima.

Bolivar himself entered Lima on 1 September 1823 and was at once vested with the full powers which had formerly been held by San Martin. The following year, by the Battle of Ayacucho, the Independence of South America was finally secured and Bolivar was free to turn to his favourite business of framing Constitutions. This he did astonishingly badly. The Audiencias of Charcas and Los Reyes were made into the Republics of Bolivia and Peru respectively. This would have been well had not each been set up with three houses of representatives all holding full freedom of speech and all governed by a president with full powers of suppressing that speech. So that when the time came for Bolivar to return to his own country (1826) he left everyone in the South perplexed and angry.

At first sight the Independence, with its many constitutions framed and broken and its two hundred battles, the whole taking place over a period of fifteen years, is hopeless confusion. But this is not really so. First it must be remembered that it is one historic act and not many, and that the sequence of happenings is of no particular significance. Thus the order in which the new nations emerge does not mean very much. The result was achieved by international characters such as Bolivar, Sucre, San Martin, Artigas, great men who belong equally to all South America; it means nothing that one

was a Venezuelan, one a Colombian, one a Chilean. It means nothing that Peru had to look both to her final freedom from Spain. This sense of equality was attested by their agreeing to adopt the Colonial principle of *Uti Possidetis* as the joint means of fixing new boundaries. They accepted independence at the hands of the Liberator, and their ideas. Hence their opinions in detail as to what was to be made, opinions which they gave very freely, and which were all for the best because confusion reigned in the minds of men, a confusion which is perhaps best seen in the conduct of men, violently and sincerely devoted to the Cause of Liberty, betrayed and abused if any man should dare to oppose them.

To take the case of Bolivar, as being the man whom we see at once that he overlooked the Audiencia of the Viceroyship. It was inconceivable to him that Venezuela, Colombia, and Quito could ever war against the devoted whole. By the same token it was to him inconceivable self-will on the part of the Citizens of Guayaquil to secede from the independent state. He coerced the three together and ruled with them. The Audiencias could hardly wait till he came apart, but Guayaquil, in so far as it has remained apart, return to Lima, has consented to abide by his wishes. His opinions on the boundary question, though they show what men believed at that time are not in themselves might well have been had the states consented to have chosen him as their "father."

Bolivar had three separate difficulties in his hands. There was Guayaquil, there was Jaen, and there was Maricao. He cared about the desert of Tumbes. In things of importance Bolivar was extremely practical and in all else highly idealistic. The great port of the south, was necessary to his plans. But two considerations stood in his way: it had been the Viceroyship of Peru by a Royal Cedula of 1802, had declared for autonomy. In August of 1822 Bolivar arrived. On his arrival he remarked, not without sarcasm, that the secessionists had sailed away with the Peruvian flag. It would be difficult to bring the remaining citizens to his terms.

The Maynas General Command was immediate. The world as it then was, and this made it a proper object of his knowledge of the existence of the Cedula of 1802 though of importance he attached to it. One thing that is going to let it stand in the way of his common purpose was extended from the Orinoco to the Marañón." Therefore, two, therefore it seems that Bolivar intended to let the cedula, keeping the left bank for Colombia and Peru.

Jaen, having no commercial importance and no

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the Junta in Santiago de Chile had, in 1817, General San Martin who, the following year, Chile and by 1820 was in a position to march for the independence of Peru. This he did, and on 28 July 1821 the formation of a Peruvian National Congress. In his powers, he himself returning forthwith to Peru as expected, the newly formed parliament had no time to prevent the recapture of Lima by the Spaniards. A word was sent to Santa Fé to ask help of Bolivar. The North had been going well. On 30 August 1820 he had signed the Constitution of Grand Colombia. The Audiencias of Santa Fé, Venezuela, and the last had been in the hands of the Spaniards. Against Ruiz de Castillo came to an end. Marshal Bolivar of Grand Colombia with orders to free Quito and by the Battle of Pichincha, at the same time to answer the call of the Peruvians and to send

him on 1 September 1823 and was at once vested with powers formerly held by San Martin. The independence of Ayacucho, the Independence of South America and Bolivar was free to turn to his favourite Peru. This he did astonishingly badly. The Republics of the Los Reyes were made into the Republics of Peru. This would have been well had not each been represented by full powers of suppressing that speech. For Bolivar to return to his own country (1826) he was perplexed and angry.

Independence, with its many constitutions framed and battles, the whole taking place over a period of confusion. But this is not really so. First it must be a historic act and not many, and that the sequence is of singular significance. Thus the order in which the Republics were achieved mean very much. The result was achieved by Bolivar, Sucre, San Martin, Artigas, great men of South America; it means nothing that one

was a Venezuelan, one a Colombian, one a Chilean, and so forth; similarly it means nothing that Peru had to look both to Colombia and to Chile for her final freedom from Spain. This sense of equality among the states is attested by their agreeing to adopt the Colonial divisions and the principle of Uti Possedetis as the joint means of fixing new boundaries. South America accepted independence at the hands of the Liberators, but she did not accept their ideas. Hence their opinions in detail as to how the new states should be made, opinions which they gave very freely, do not count for much. This was all for the best because confusion reigned in the heads of those great men, a confusion which is perhaps best seen in the fact that they were all violently and sincerely devoted to the Cause of Liberty yet all felt themselves betrayed and abused if any man should dare to practice liberty against them.

To take the case of Bolivar, as being the man who most concerns us here, we see at once that he overlooked the Audiencia and only thought in terms of the Viceroyship. It was inconceivable to him that the three Audiencias of Venezuela, Colombia, and Quito could ever want to live other than in one devoted whole. By the same token it was to him disgusting and punishable self-will on the part of the Citizens of Guayaquil to choose to be an independent state. He coerced the three together and coerced Guayaquil to join with them. The Audiencias could hardly wait till his death before springing apart, but Guayaquil, in so far as it has remained with Quito rather than return to Lima, has consented to abide by his will. Thus his thoughts and opinions on the boundary question, though they are valuable in that they show what men believed at that time are not in any way binding, as they might well have been had the states consented to fulfil all his wishes and chosen him as their "father."

Bolivar had three separate difficulties in his Southern Boundary: there was Guayaquil, there was Jaen, and there was Maynas. In those days no one cared about the desert of Tumbes. In things to do with administration Bolivar was extremely practical and in all else highly sentimental. Guayaquil, the great port of the south, was necessary to his Empire therefore it must be his. But two considerations stood in his way: it had been handed over to the Viceroyship of Peru by a Royal Cedula of 1802, and the citizens themselves had declared for autonomy. In August of 1822 Bolivar went to Guayaquil in person. On his arrival he remarked, not without satisfaction, that the principle secessionists had sailed away with the Peruvian Fleet and that it would not be difficult to bring the remaining citizens to his point of view. This he did.

The Maynas General Command was immeasurably far away from the world as it then was, and this made it a proper object for sentiment. Bolivar knew of the existence of the Cedula of 1802 though it is not clear exactly what importance he attached to it. One thing that is certain is that he was not going to let it stand in the way of his commonplace "that Grand Colombia extended from the Orinoco to the Marañón." The Marañón cuts Maynas in two, therefore it seems that Bolivar intended to go shares in the matter of the cedula, keeping the left bank for Colombia and leaving the right bank to Peru.

Jaen, having no commercial importance and not figuring importantly on

Bolivar

the map, appealed neither to his head nor to his heart. So in the absence of strong feelings he seemed ready, if not to judge of it on its merits, at least to see the province lost to Colombia if thereby he could gain his other ends. Jaen had unquestionably been part of the Viceroyship of Santa Fé and of the Audiencia of Quito right to the end. But like the other provinces of the Audiencia it seems to have suffered from this. Jaen grew tobacco. The natural market for this was Lima, but before it could be sold there, customs had to be paid. This was so discouraging to the people of Jaen that in the course of the seventeenth century the population dwindled from thirty thousand to seven thousand. This state of affairs was set before the Spanish Governors who during their last half-century of office had been taking steps for the handing over of Jaen to Peru, though they had never quite achieved it. This was the reason why the local councils, at the time of Independence, were most anxious to belong to Peru.

Bolivar, when he heard of this, was at first indignant, but later seemed inclined to leave the matter for the time as being unimportant. He said nothing of it during the two years when he was Master of Peru and it was not until 1827, when he was once more Dictator of Colombia and was faced with a general revolt against his person in all the states of the south, that he declared his feelings in these terms: "If, six months from now, Peru has not placed the Province of Jaen and the lands of Maynas which she now holds, under the orders of the Intendent of Azuay (Ecuador) the Government of Colombia will declare a state of war with Peru and will persevere until the fortunes of arms have upheld the right. . . ."

But before the account is carried any further, something must be said of the state of Peru and Colombia themselves at this time, and of their relations with one another. It must be remembered that they were not nations in the sense that they are now. In themselves they were little more than gatherings of men; of soldiers who wanted honour and of men of affairs who wanted what is commonly called prosperity. Thus, when Jaen and Guayaquil voted, the one for union with Peru and the other for autonomy, it was their pockets that prompted them. Similarly, when General La Mar, the Peruvian President, marched north into Colombia, it was not because Peru had a quarrel with Colombia, but because he himself wanted to have a fight with Bolivar.

It is important to remember this, because both sides like to vest the acts of this period with a national significance which they certainly never had, thus making the whole problem so much more difficult to unravel. Another difficulty is to give the acts of this time their proper value in law. The Colombian Congress, sitting in Cúcuta had, in 1821, drawn up their constitution in which the boundary with Peru was named as "being coextensive with that of the Viceroyship of Santa Fé as it was previous to 1810." When the Peruvian Congressmen, two years later, came in their turn to draw up a constitution they named their frontier with Colombia in exactly the same terms. The trouble was that no one said if the Cedula of 1802 was held to be valid or not and both sides were apparently left to interpret the matter in their own way. It only became difficult when the writs had to be issued for the elections. In this Colombia had two years' start, but Peru, when she was called upon to

acknowledge Colombia's possession of the (C)rien she could take no account of Colombia's Cons her own. But when, in 1823, she did this and for the deputies in those provinces to come and sit But since the struggle with Spain was still going to fall out on what was then still an academic issue an agreement (later to prove equally embarrassing towns on the left bank of the Marañón were to vote and those on the right bank with Peru. By this tions were queered, because however natural a l be, it was certainly never the boundary between the Cedula of 1802 is taken into account or if it i

The upshot of all this is that, however interesting this age may be in showing how the countries str cannot be given that absolute finality in law wh them. Peru, as we have seen, declines so much sovereignty over Jaen and Maynas on the ground part of herself from the time of her constitution that she claimed them at that date it is also true point uncontested and her possession (at least of accomplished.

In the same way the war which followed on E interesting to us now in that it ended in the m treaties that could be imagined. Like all the war of the Independence, it was a civil war fought on a of the revolt against Bolivar which had been go which was to end, not with the Treaties, but with consumption in the last days of 1829. The bound the nominal cause of the war, but it was not the the real cause, the parties, when they came to sign been so willing to put off the settlement for another

The fighting itself began with the capture of Navy. But this success was immediately offset by La Mar at the hands of the faithful Marshal Su de Tarqui. But a rebellion in Venezuela gave Su Peruvians from Guayaquil and he decided to sign was followed by a treaty at Guayaquil by the ter left Colombian soil and both parties consented question in Lima.

The Case now reaches its most anxious phase General Don Tomas De Mosquera, the Colombi in Lima with the declared object of carrying out Guayaquil. Up to this time there can be no doubt in Peru as to what was the right settlement were, c Bolivar's. We have a note written by Don Jose signed the treaty in Guayaquil, in which he wrote that:

his head nor to his heart. So in the absence of any, if not to judge of it on its merits, at least to Colombia if thereby he could gain his other ends. In part of the Viceroyship of Santa Fé and of the end. But like the other provinces of the suffered from this. Jaen grew tobacco. The Lima, but before it could be sold there, customs discouraging to the people of Jaen that in the century the population dwindled from thirty. This state of affairs was set before the Spanish last half-century of office had been taking steps to Peru, though they had never quite achieved the local councils, at the time of Independence, to Peru.

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carried any further, something must be said of themselves at this time, and of their relations remembered that they were not nations in the themselves they were little more than gatherings of honour and of men of affairs who wanted prosperity. Thus, when Jaen and Guayaquil voted, and the other for autonomy, it was their pockets only, when General La Mar, the Peruvian President of Colombia, it was not because Peru had a quarrel with himself wanted to have a fight with Bolivar. For this, because both sides like to vest the acts of significance which they certainly never had, seem so much more difficult to unravel. Another of this time their proper value in law. The in Cúcuta had, in 1821, drawn up their controversy with Peru was named as "being coextensive with Santa Fé as it was previous to 1810." When the years later, came in their turn to draw up a controversy with Colombia in exactly the same terms. said if the Cedula of 1802 was held to be valid or presently left to interpret the matter in their own when the writs had to be issued for the elections. The start, but Peru, when she was called upon to

acknowledge Colombia's possession of the Oriente, wisely pointed out that she could take no account of Colombia's Constitution till she had ratified her own. But when, in 1823, she did this and forthwith issued writs calling the deputies in those provinces to come and sit with her, the trouble began. But since the struggle with Spain was still going forward there was no time to fall out on what was then still an academic issue, so both sides entered into an agreement (later to prove equally embarrassing to both) whereby those towns on the left bank of the Marañón were to vote with Colombia, and Jaen and those on the right bank with Peru. By this means both their constitutions were queered, because however natural a boundary the Marañón may be, it was certainly never the boundary between the Viceroyships, either if the Cedula of 1802 is taken into account or if it is not.

The upshot of all this is that, however interesting the legislative acts of this age may be in showing how the countries stood with one another, they cannot be given that absolute finality in law which is so often claimed for them. Peru, as we have seen, declines so much as to discuss her right to sovereignty over Jaen and Maynas on the ground that they were an integral part of herself from the time of her constitution in 1823. Though it is true that she claimed them at that date it is also true that her claim was at no point uncontested and her possession (at least of Maynas) was by no means accomplished.

In the same way the war which followed on Bolivar's Declaration is only interesting to us now in that it ended in the most confusing set of peace treaties that could be imagined. Like all the wars that followed in the train of the Independence, it was a civil war fought on a personal issue. It was part of the revolt against Bolivar which had been going forward since 1823 and which was to end, not with the Treaties, but with the death of Bolivar from consumption in the last days of 1829. The boundary question was certainly the nominal cause of the war, but it was not the real cause. For had it been the real cause, the parties, when they came to sign the peace, would not have been so willing to put off the settlement for another time.

The fighting itself began with the capture of Guayaquil by the Peruvian Navy. But this success was immediately offset by the total defeat of General La Mar at the hands of the faithful Marshal Sucre in the Battle of Portete de Tarqui. But a rebellion in Venezuela gave Sucre no time to dislodge the Peruvians from Guayaquil and he decided to sign a truce on the field. This was followed by a treaty at Guayaquil by the terms of which the Peruvians left Colombian soil and both parties consented to discuss the territorial question in Lima.

The Case now reaches its most anxious phase. On 25 November 1829, General Don Tomas De Mosquera, the Colombian Plenipotentiary, arrived in Lima with the declared object of carrying out the terms of the Treaty of Guayaquil. Up to this time there can be no doubt that the prevailing opinions in Peru as to what was the right settlement were, except for Jaen, the same as Bolivar's. We have a note written by Don Jose Larrea, the Peruvian who signed the treaty in Guayaquil, in which he wrote to his Government saying that:

"In order in the Future definitely to avoid controversies of every description with that Republic" (meaning Grand Colombia) "it would be most suitable and convenient to fix as the boundaries of the two states the mouth of the Tumbes river" (that is, leaving Tumbes to Colombia) "with a line running parallel through the Environs of Loja to the source of the Chinchipe river" (leaving Jaen to Peru) "the waters of which are confluent with the Marañón and enclose our territory in that section." (Maynas to be divided, the greater part to Colombia.)

Further to this we have the evidence of an official Peruvian map, dated 1826, which follows much the same lines. It must be remembered that in spite of the tone of Bolivar's declaration of war, the question was not at this time an angry one and there can be no doubt that had the Liberator lived another six months the boundary would have been fixed once and for all in this sense.

But Bolivar was known to be ill and Grand Colombia was known to be in a precarious state, and the Peruvian Foreign Office must have thought that there was nothing to lose and that there might be much to gain if the settlement were delayed. Besides, there was trouble with Mosquera over Jaen, and this, together with the fact that the frontier had never been officially surveyed (that is, under the terms of the Treaty: Peru had made her own survey, witness the map of 1826) was enough for the Peruvian Foreign Minister to withhold his signature so long as it suited him. There is no charge of bad faith in this: any Foreign Minister would have done the same.

A certain Colonel Althaus was commissioned to make a map, and meanwhile Mosquera was properly fed and kept amused by discussions about Jaen. In December he wrote to Bolivar: "We have already decided on the Rivers Tumbes, Marañón, and Macará. Nothing remains but to think about the Chinchipe." (That is, Jaen.)

But it was too late. On November 4 Venezuela declared her secession from the Union; on December 17 Bolivar, who *was* the Union, died; on Christmas Eve General Paez opened the Venezuelan Congress in Caracas; in January the Constituent Congress of Grand Colombia, which had been convoked by Bolivar two years earlier but never summoned, met in Bogotá in the vain hope of drawing Venezuela back into the Union: by the end of April all thought of this was given up, and in May the three southern provinces of the Union, Quito, Guayaquil, and Azuay, banded themselves together into a new state which they called Ecuador.

Mosquera did not leave Lima at once. Grand Colombia's international personality was not yet thought to be dead and there were still hopes that she would live on in some Federal existence, hopes which were not formally stopped till 1835. But by July Mosquera seems to have become restless and anxious to return to Colombia. On the 24th of that month he appears to have sent a note to the Peruvian Foreign Minister in which he resigned his charge and told of his coming departure. On the 31st he asked to be allowed to send his baggage on board the Colombian war schooner *Guayaquilena*; on August 2 the Marine Commander of Callao acknowledged orders to go forward with his embarkation. A week later (according to the *Mercurio Peruano*) he embarked, and on the 10th the *Guayaquilena* weighed anchor.

Now, on August 2 the post of Foreign Minister Don Carlos Pedemonte.

The importance of all this is that the Colombia by Pedemonte and Mosquera, in which the frontier around Jaen, is carefully laid down. This protocol, that is, the day after Mosquera sailed from Callao, does not so much as mention the Protocol before the war, or impart the thing to Ecuador till 1904. But from the large in the Ecuadorean case, probably to its profit, it is a forgery and show the details of Mosquera's conduct. Furthermore, they point out that even if it were true, it had ceased to represent Grand Colombia, and in the view of the previous secession of Venezuela, had no validity.

The position of Ecuador is very delicate. She has a trust from Colombia assuming that Colombia could show that it was true and valid. This Colombia has always been at a disadvantage in all matters which she has before 1830, since the archives both of the Viceroyalty and the Republic of Grand Colombia are in Bogotá and she depends on her relations with contemporary Colombia for the best.

In effect the Pedemonte Mosquera Protocol is a forgery. Even if all that is claimed of it could be proved, it can give evidence for an intention on the part of Mosquera, clearly established by other proofs. If it is clear on the face of it did not set his hand to any boundary arrangement, it is equally clear that his mission was a success in that it was what Peru thought and hoped for at that time, of giving up Tumbes, that she was determined at that time, and that she was prepared to consent to an unfavorable settlement taking the Marañón as a boundary. And this is the real contention "that Tumbes, Jaen, and Maynas were lost" since the time of her Constitution in 1823."

On 23 September 1830 the Constitution of the new Republic was signed. Thereby a new problem: "was Ecuador a part of Grand Colombia may have held against Peru in the Boundary?" Peru said she was not.

The question turns on the way South American boundaries are drawn, is, if they are drawn according to strict right, they hardly acquire new rights merely because Grand Colombia is indeed true heir to Grand Colombia in the matter. If they are arrived at by bargaining, then, because Peru is to credit Ecuador with the bargaining power, Colombia, Ecuador is not the true heir.

In effect the South American frontiers are made by bargaining. They usually begin by an examination of the right of the parties. Thus Ecuador could not lose any of its territory.

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was commissioned to make a map, and meanwhile he was fed and kept amused by discussions about the map to Bolivar: "We have already decided on the boundary of Macará. Nothing remains but to think about the rest."

On November 4 Venezuela declared her secession from the Union; on November 17 Bolivar, who was the Union, died; on November 25 the Venezuelan Congress in Caracas; the Congress of Grand Colombia, which had been in session earlier but never summoned, met in Bogotá. Venezuela back into the Union: by the end of the year the three southern provinces, Guayaquil, and Azuay, banded themselves together and called Ecuador.

Lima at once. Grand Colombia's international position was dead and there were still hopes that she might have a partial existence, hopes which were not formally fulfilled. Mosquera seems to have become restless and impatient. On the 24th of that month he appears to have resigned his position as Peruvian Foreign Minister in which he resigned his position. On the 31st he asked to be allowed to go to the Colombian war schooner *Guayaquilena*; the commander of Callao acknowledged orders to go on. A week later (according to the *Mercurio*) on the 10th the *Guayaquilena* weighed anchor.

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Now, on August 2 the post of Foreign Minister had been handed to a certain Don Carlos Pedemonte.

The importance of all this is that the Colombians hold a protocol, signed by Pedemonte and Mosquera, in which the frontier, except for the part round Jaen, is carefully laid down. This protocol bears the date August 11. That is, the day after Mosquera sailed from Callao. The Colombians did not so much as mention the Protocol before the year 1892, and they did not impart the thing to Ecuador till 1904. But from that date it had figured very large in the Ecuadorean case, probably to its prejudice. The Peruvians call it a forgery and show the details of Mosquera's embarkation to prove it; furthermore, they point out that even if it were not, Mosquera by that date had ceased to represent Grand Colombia, and Grand Colombia herself, in view of the previous secession of Venezuela, had ceased to exist.

The position of Ecuador is very delicate. She accepted the document on trust from Colombia assuming that Colombia could, and if need be, would show that it was true and valid. This Colombia has not done. Ecuador has always been at a disadvantage in all matters which have to do with the years before 1830, since the archives both of the Viceroyship of Santa Fé and of the Republic of Grand Colombia are in Bogotá and Ecuador's access to them depends on her relations with contemporary Colombia which have not always been of the best. X ?

In effect the Pedemonte Mosquera Protocol is by no means essential to her case. Even if all that is claimed of it could be proved, it could do no more than give evidence for an intention on the part of Peru, and this intention is clearly established by other proofs. If it is clear on the one hand that Mosquera did not set his hand to any boundary arrangement binding on Peru, it is equally clear that his mission was a success in that it had the effect of showing what Peru thought and hoped for at that time, of showing that she was ready to give up Tumbes, that she was determined at all cost to hold on to Jaen, and that she was prepared to consent to an unfavourable division of Maynas, taking the Marañón as a boundary. And this is enough to upset the Peruvian contention "that Tumbes, Jaen, and Maynas were an integral part of Peru since the time of her Constitution in 1823."

On 23 September 1830 the Constitution of the new Republic of Ecuador was signed. Thereby a new problem: "was Ecuador heir to whatever rights Grand Colombia may have held against Peru in the matter of the Southern Boundary?" Peru said she was not.

The question turns on the way South American frontiers are made. That is, if they are drawn according to strict right, then, because Peru could hardly acquire new rights merely because Grand Colombia split into three, Ecuador is indeed true heir to Grand Colombia in this. But if the boundaries are arrived at by bargaining, then, because Peru could hardly be expected to credit Ecuador with the bargaining power formerly held by Grand Colombia, Ecuador is not the true heir.

In effect the South American frontiers are made by both ways of reckoning: they usually begin by an examination of the rights and end by some sort of bargaining. Thus Ecuador could not lose any of the rights that Colombia

held before her; if Grand Colombia had the right to claim Tumbez, Jaen, and Maynas, then Ecuador had the same right to go on claiming them. What she had not got was the power of enforcing whatever right she may have had, and this, over a long period of years might, if she were careless, run her in danger of losing some part or all of the rights that she held in the first place. At the time when Ecuador was born, Peru, rightly or wrongly, was sitting in some of the lands she considered to be hers. Either Ecuador could drive her out or she could keep up a regular system of protests until such time as there was a strong enough international authority to do it for her. She tried both.

Peru, not unnaturally, was delighted to see Grand Colombia break up, and she was quick to acknowledge the three separate parts that came out of her. So that when Don Diego Novoa, the first Ecuadorean Ambassador in Lima, came in September 1831 to present his credentials, he found the faces of the members of the Peruvian Cabinet wreathed in smiles, and the President expressed "the intense satisfaction he felt in recognizing the envoy who first made heard in the Republic of Peru the voice of Ecuador. . . ." But as there were still doubts as to whether or not Grand Colombia might still be revived it was not till June 1832 that Peru entered into a "Treaty of Amity and Alliance" with Ecuador. In this treaty it was remarked that "while negotiating a convention for the adjustment of boundaries between the two states, the present boundaries should be recognized."

Nothing signal happened till 1840, when Ecuador, suspicious of the long quiet, set up a demand that the boundaries should be fixed. The Peruvians, in a curt note, asked "what was meant?" adding that both nations were enjoying peace and that it would be folly to ruffle it. Ecuador replied saying that it was high time the Treaty of Guayaquil were accomplished. Peru at once denied the treaty to be in force: so far as she was concerned that of 1832 only was valid.

But Ecuador at that time was in the hands of the masterful General Flores, who at once ordered the matter to be taken up. A set of conferences were arranged to take place between Doctor Matias Leon and the General's Foreign Minister, Don Jose Felix Valdivieso. Flores took a strong personal interest in the proceedings and kept walking into the conference room to see how things were getting on. On one occasion he brought De Marten's book on International Justice and pointed out to Leon the passage which attested the validity of treaties like that of Guayaquil, and on another he called in the Colombian Minister who also had an affair to settle with Peru over her non-payment of the costs of calling in Bolivar's Army in 1821. Finally Flores declared that if Leon did not give satisfaction before a certain date, Ecuador would occupy the territories that belonged to her. At this point Leon put an end to an unpleasant visit and asked for his papers.

But Flores was having too much trouble with Colombia to carry out his threat, so the following year he sent General Daste to Lima to try and pick up the stitch which somehow or other had been dropped. But the Peruvians would not say anything until the honour of Doctor Leon had been salved, and since the General could not find it in himself to do this the discussion came to an end almost as soon as it began. Then followed eleven years of silence.

In 1853 a new generation of diplomats took of that year the Peruvians set up a political and (Maynas) and they quoted the Royal Cedula Posedetis of 1810 in support of what they were an unpleasant surprise for the Ecuadorians with between their Foreign Office and that of Grand of the Cedula before.

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Ecuador meanwhile had been thrown into sev the Peruvian squadron sailed into the Guayas r busy among themselves to take any notice. Aft rassment the Peruvian commander caught Ecuadorian leaders and signed with him the whereby Ecuador should be allowed two sovereignty over Quijos and Canelos. But the wrong man, and on his defeat, the Central Go be void, and so that there should be no mis extremely comprehensive Territorial Law ir maintained.

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THE CONFLICT BETWEEN THE

REPUBLICS OF PERU AND ECUADOR

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Colombia had the right to claim Tumbez, Jaen, and the same right to go on claiming them. What she was enforcing whatever right she may have had, and she might, if she were careless, run her in danger of the rights that she held in the first place. At the time Peru, rightly or wrongly, was sitting in some of her shoes. Either Ecuador could drive her out or stem of protests until such time as there was a authority to do it for her. She tried both. She was delighted to see Grand Colombia break up, and she took the three separate parts that came out of her. When Joaquin, the first Ecuadorean Ambassador in Lima, presented his credentials, he found the faces of the Cabinet wreathed in smiles, and the President's expression he felt in recognizing the envoy who first represented Peru the voice of Ecuador. . . . But as there was or not Grand Colombia might still be revived at Peru entered into a "Treaty of Amity and Commerce" his treaty it was remarked that "while negotiation of boundaries between the two states, it was to be recognized."

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In 1853 a new generation of diplomats took the matter up. On March 10 of that year the Peruvians set up a political and military government in Loreto (Maynas) and they quoted the Royal Cedula of 1802 together with the Uti Possidetis of 1810 in support of what they were doing. This must have been an unpleasant surprise for the Ecuadorians who, as there was no continuity between their Foreign Office and that of Grand Colombia, had never heard of the Cedula before.

Ecuador was impressed, but answered by bringing up a bill in her Congress which dealt with the Freedom of Navigation in the Amazon Rivers, each of which she took care to specify. To this Peru made her protest in due form, and nothing more was said or done by either side till 1857, when Ecuador struck on the plan of clearing her foreign debts by making over "One million quarter sections in the Canton of Canelos in the Oriente on the Banks of the Bobonaza River, reckoned from the point of confluence of that river with the Pastaza towards the West at four reales" (that is, ten cents gold) "per quarter section" to some British bondholders who knew nothing of how controversial their tenure would have been. The move was not a success. Peru demanded the retraction of the deal (though by some oversight of her Foreign Office she cited the Treaty of 1829 the validity of which she had already spent so many years in denying), the United States and Great Britain hurriedly withdrew their countenance from the transaction, and the following year Peru declared war and sent her navy once more to take Guayaquil.

Ecuador meanwhile had been thrown into several revolutions, so that when the Peruvian squadron sailed into the Guayas river the Ecuadoreans were too busy among themselves to take any notice. After eighteen months of embarrassment the Peruvian commander caught the attention of one of the Ecuadorean leaders and signed with him the Treaty of Mapasingue (1860) whereby Ecuador should be allowed two years in which to establish sovereignty over Quijos and Canelos. But the Peruvians had picked on the wrong man, and on his defeat, the Central Government declared his acts to be void, and so that there should be no misunderstanding, published an extremely comprehensive Territorial Law in which the full claim was maintained.

Then followed twenty-six years of comparative quiet and great politeness. There were many notes exchanged during this time, usually concerned with Peru's plans for the colonization of the Oriente. But on Peru's side at least there is a change. There is no longer talk of strict right. Instead there is a suggestion that Peru will occupy all that is useful to her and that she will leave what remains to Ecuador. On the one hand she shows more real interest in the Oriente, sending expedition after expedition into the forests, and on the other, she seems more inclined to recognize Ecuador as an Amazon Power, which she could not be if Peru claimed all the Amazon lands. In a note directed to Quito she talked largely of Ecuador's "rich Amazon Heritage," and when she came to draw up a fluvial treaty with Brazil she gave Ecuador's name as being numbered among the interested countries.

From 1879, for six years, Peru was destroyed by war: war, first with Chile, in which her character of a sovereign state was all but blotted out, then war

with herself in which her organization was reduced almost to nothing. Though Chile suggested, again and again, that Ecuador should invade Peru from the north and take from her all that she could lay claim to, Ecuador had the good sense to refuse.

But in 1886, when the wars were over and Peru was at last in the hands of the stable and sensible President Pierola, Ecuador felt it was time to stir, and she prepared to revive her plan of paying off the bondholders with lands on the Bobonaza river. This, being a very old idea, was followed by a very new one. On 1 August 1887 was signed the Espinoza Bonifaz Arbitration Convention, whereby the whole matter was to be put to the King of Spain, who was to judge of it as of strict right, the convenience of neither side to be considered in the least degree. Nevertheless, if they were of a mind to reach a settlement before the award, they were free to do so. Alfonso XIII being only fifteen months old the thankless and unprofitable job was accepted for him by his mother, and the two parties set to writing their briefs. That of Peru ran to twelve volumes.

Both parties seemed alarmed at the prospect of the award. Ecuador was shy from the start, partly because she was afraid that it ran contrary to the terms of the Treaty of 1829 which said nothing of settlement by arbitration, partly because she knew that most of her evidence lay in the archives of Colombia from whence it was not always easy to extract it. But she resigned herself to her fate; and her brief, after it had been lost in the train journey between Paris and Madrid, was found again and duly handed in. Peru on her side seemed no less apprehensive. Above all she feared the loss of Jaen, which, though small, was at least inhabited by real Peruvians (as opposed to the potential Peruvians who lived in the Oriente), and seemed immeasurably more precious than many thousands of square miles of black forests.

Both cases were presented in their most exaggerated forms. The good men of both sides were shocked to see the huge difference between the claims, differences which looked bald on the map. The Peruvian Chancellor, Elmore, had heart searchings, and wrote saying that "the youthful secretary entrusted provisionally with our Legation in Spain has in a fit of patriotic fervour exceeded his instructions and has put in an exaggerated claim . . ." The Ecuadoreans on their side held to the letter of the Cedula of 1740, and drew their line at lat. 6° 30'.

But there seemed real danger that, whatever the award, both sides would be the loser and that a war would follow. So the parties agreed to do their best to avert this, and Doctor Arturo Garcia and Don Pablo Herrera met in Quito at the end of 1889 to see if they could settle the limits among themselves. They nearly succeeded. The arrangement they lighted on was that Peru should hold Tumbes, Jaen, and the parts of Maynas where she held establishments. Thus Ecuador was left with the zones of the Maynas General Command which lay close to her, Macas and Quijos, and also the northern strip next the Colombian frontier which usually goes by the name of the Sucumbios Missions and which encloses Canelos. In this way Ecuador had one of the navigable Amazon tributaries, the Putumayo, nearly to its full length, and a usable part of another, the Napo. Both Congresses ratified the compromise, the Peruvian conditionally upon an alteration being made in

the area of the Morona river. But this the Ecuadorian government countenance, and both withdrew their ratification. Back to this time, Peru shudders to think how part of her birthright.

Four years passed. In 1894 it was suggested that the arbitration and that all three should settle. This Ecuador refused, feeling that the other two were tempted to settle theirs by dividing the Oriente.

Ten more years passed. The new century had its battles at Angotera and Torres Causano, fought between pickets. But by October 1904 excited both parties to subscribe to a return to arbitration. Ecuador asked to appoint a commissioner who should settle the business of the award once more on its feet. It was entrusted to Don Ramon Menendez Pidal, who in 1905, cleared the Oriente of troops, and in 1906 it was understood that the award would be forthcoming.

The procedure was that the evidence should be presented to the State, this council should give its findings to the arbitrator, and give the award. But by this time the whole case was fierce: Peru, in her final memorial, made it very clear that if Maynas were taken from her she would feel back; Ecuador felt the same, but preferred to wait for a decision before saying it.

The council sat for three years. Towards the end of 1909 that though the councillors were by no means agreed, they stood at a line which, though at first sight it looked in effect cut off Ecuador from the navigable part of the Amazon more than she could bear, and in 1910 she withdrew. It did not sound gratefully in Lima, and war was declared with the States, Argentine, and Brazilian Ministers, who called it "Unamerican" to fight about a cause which was not theirs. Meanwhile the Chilean Minister in Quito persuaded the Minister that, if Ecuador could not let the award stand by it until the arbitrator himself had given his decision, it happened in November of 1910.

The breakdown of the Spanish arbitration was an absurd point common to most of the international cases which they could only keep on terms by agreeing to what interested them most. So they could do nothing but sit in silence with their modest establishments in Quito, and suffered from the embarrassing circumstance of having to rely on hers by way of the Amazon port of Iquitos.

In 1916 a curious thing happened. Ecuador gave up the Sucumbios Missions to Colombia. Why she did this the Missions formed part of the full Peruvian territory, the object of involving Colombia in her cause.

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part of her birthright.

Four years passed. In 1894 it was suggested that Colombia should enter
the arbitration and that all three should settle their differences in Madrid.
This Ecuador refused, feeling that the other two would undergo irresistible
temptations to settle theirs by dividing the Oriente between them.

Ten more years passed. The new century had started badly with two small
battles at Angotera and Torres Causano, fought in the depths of the forests
between pickets. But by October 1904 excitement had cooled enough for
both parties to subscribe to a return to arbitration. The King of Spain was
asked to appoint a commissioner who should make a report and set the
business of the award once more on its feet. This delicate mission was
entrusted to Don Ramon Menendez Pidal, who arrived in Quito in the spring
of 1905, cleared the Oriente of troops, and in April returned to Spain, giving
it to be understood that the award would be forthcoming within six months.

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State, this council should give its findings to the King, and the King should
give the award. But by this time the whole question had grown to be very
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and Maynas were taken from her she would feel herself at liberty to take them
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that though the councillors were by no means unanimous, they were arriving
at a line which, though at first sight it looked very like the Garcia-Herrera,
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States, Argentine, and Brazilian Ministers, who pointed out that it would be
"Unamerican" to fight about a cause which was still up for arbitration.
Meanwhile the Chilean Minister in Quito persuaded the Ecuadorean Foreign
Minister that, if Ecuador could not let the award go forward, she must at
least stand by it until the arbitrator himself withdrew, and this in effect
happened in November of 1910.

The breakdown of the Spanish arbitration brought the parties to that
absurd point common to most of the international disputes of our time in
which they could only keep on terms by agreeing not to discuss the one point
that interested them most. So they could do nothing but go forward in
silence with their modest establishments in the Oriente, though Ecuador
suffered from the embarrassing circumstance that she could only send food
to hers by way of the Amazon port of Iquitos, which was firmly held by Peru.

In 1916 a curious thing happened. Ecuador made over part of the
Sucumbios Missions to Colombia. Why she did this it is hard to see. Since
the Missions formed part of the full Peruvian claim it may have been with
the object of involving Colombia in her cause; but if that was so, she was

sadly disappointed, for in 1922 Colombia made over those very lands to Peru. Ecuador, who now saw herself shut in on two sides by Peruvian soil, not unreasonably felt herself to be the victim of a conspiracy, and broke off relations with Colombia.

But she consented to enter into yet one more arbitration with Peru, and this was embodied in the Ponce Castro Treaty of 1924. There are two sorts of arbitration: either it can be of strict right in which legal titles are the only evidence, or it can be of equity, in which every possible consideration can count towards the decision. The Spanish arbitration had been of the first sort. Had the award been given, it would have begun with a declaration of what were the rights and would then have gone on to interpret them. Thus Articles 13 and 14 of the recommendations which the Council was on the point of handing to the King read as follows: "Considering: from the principles laid down and the facts proved it follows that the Provinces of Jaen and Maynas (to-day the Departments of Amazonas and Loreto) belong to Peru, under whose sovereignty they were when in 1832 Ecuador was finally constituted as a state. . . . From this it follows that the question is reduced to the determination of the extension and limits of Jaen and the ancient Province of Maynas in so far as these lie adjacent to Ecuador."

Without favouring Ecuador it can be said that this was neither fair nor sensible. Not that the result was necessarily wrong, but only the way in which it was reached. The terms of the arbitration had put the Council in a false position. It was not possible to draw valid titles from the scrimmage that happened in South America between the years 1809 and 1832. True it was possible to reach a result, but not one in which men could have confidence; and confidence is essential to arbitration. The acknowledged uncertainty of later cédulas and the confusion of the Independence forced the Council to take hold of the one solid fact of Peru's prior birth, and on this they pinned everything. Ecuador's fault was not that she broke away from the arbitration (that was a virtue) but that she indulged in it for so long.

The difficulties that had to be met by the new treaty were these: on the one hand the case in its nature did not lend itself to settlement by strict right, and on the other the arbitration of right had gone so far that Peru could hardly be expected to forgo everything that she was on the point of gaining by it. The result was one of those international documents in which both parties are treated to the illusion that they have done well. The Ponce Castro Treaty promulgated the "mixed formula" whereby the parties were to agree as far as they could among themselves, then, when they got to a dead end they were to agree as to what they were going to submit to the arbitrator, who in this case was the President of the United States. It will be seen at at once that arrangements of this sort presuppose a miraculous concord between both sides. For the arbitration cannot take place until both sides are agreed as to what it is to be about. In view of the upsetting experience of the Spanish Arbitration, neither is likely to agree to this until it has got the bulk of what it wants. Thus the arbitration is only likely to be concerned with some comparatively indifferent matter like the actual marking out of the frontiers: the allotting of the territories can only be done in the discussions. These began in 1934 in Lima, they were interrupted by a small war in

Tumbes and then transferred to Washington in 1935. Peru, however, having been defeated, putting off an election tour to supply the delegates who attended the opening session. More to show that Peru was not to reach any specified result, the delegates considered the mixed formula: Peru gave up all claims to the provinces of Jaen and Maynas, and Ecuador to all east of the Cordillera of the Andes. In 1938 the Washington Conference decided the relations which the two countries have kept up to the day of the dispute up to to-day.

Nothing is more easy than to be brusque with Peru. Here are two parties who have had a clear history; and now, with the world all round them in a state of anxiety for her unity, they still cannot set the matter at rest.

The reason surely is that the Spanish American case is in compromise which is part and parcel of the history of the country by a curious indifference of spirit, is quite happy in his honour and faith so compromised that the Spaniard would never do this. He has no indifference.

Peru has an excellent case and one which it is difficult to lose. Here is Ecuador. Respect for the wishes of the people of Peru from fighting on the issue; and since the sacrifice to the United States of their instinctive result must have been shifted from them to her.

Faced with questions of principle the United States is anxious that the oppressed man should retain his vigorous man should not be unduly thwarted. In time, to judge between the two she will understand that done cannot be undone, but that for the future she will pull. Perhaps this is what she would like if so, the litigants are not pleased and will not do so.

Given that the Royal Audiencias were indeed established (and when we remember that the exceptions to the rule, came about because the Spanish Organization was undeveloped at the time of Independence, it is clear that the democratic thesis must maintain that the country has been oppressed, and that not only Jaen and Maynas (Colombia) must be restored to her.

But if the democratic thesis is not to be held, then more effective organization are to be allowed. Peru who is able and willing to develop the country should belong.

Tumbes is now in the hands of a technical committee to decide if and by how much the river Zarumilla should be in view of the fact that it still grows tobacco and sell it in Lima, will turn towards Peru. We are not sure.

If we admit that the historical question of the

Colombia made over those very lands to Peru. shut in on two sides by Peruvian soil, not the victim of a conspiracy, and broke off

into yet one more arbitration with Peru, and the Castro Treaty of 1924. There are two sorts of strict right in which legal titles are the only, in which every possible consideration can be. The Spanish arbitration had been of the first, it would have begun with a declaration of, then have gone on to interpret them. Thus recommendations which the Council was on the read as follows: "Considering: from the facts proved it follows that the Provinces of departments of Amazonas and Loreto) belong to them they were when in 1832 Ecuador was. . . From this it follows that the question is of the extension and limits of Jaen and the so far as these lie adjacent to Ecuador."

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What met by the new treaty were these: on the one hand, it did not lend itself to settlement by strict arbitration of right had gone so far that Peru had to go everything that she was on the point of doing of those international documents in which the confusion that they have done well. The Ponce "mixed formula" whereby the parties were obliging themselves, then, when they got to a dead end, they were going to submit to the arbitrator, the consent of the United States. It will be seen at this sort presuppose a miraculous concord arbitration cannot take place until both sides are about. In view of the upsetting experience, Peru is likely to agree to this until it has got the arbitration is only likely to be concerned with the matter like the actual marking out of the territories can only be done in the discussions. They were interrupted by a small war in

Tumbes and then transferred to Washington in 1936 when President Roosevelt, putting off an election tour to supply the confidence that was missing, attended the opening session. More to show that they were trying than to reach any specified result, the delegates consented once more to toy with the mixed formula: Peru gave up all claim to any of the lands west of Jaen and Maynas, and Ecuador to all east of these. Beyond that neither will go. In 1938 the Washington Conferences came to an end, and the bad relations which the two countries have kept up ever since bring the account of the dispute up to to-day.

Nothing is more easy than to be brusque with other peoples difficulties. Here are two parties who have had a clear hundred years in which to settle up; and now, with the world all round them in a turmoil and with America anxious for her unity, they still cannot set their hands to an agreement.

The reason surely is that the Spanish American does not take that delight in compromise which is part and parcel of the North American. The Saxon, by a curious indifference of spirit, is quite happy to live through his life with his honour and faith so compromised that their very existence is in doubt. The Spaniard would never do this. He has not got the faculty or defect of indifference.

Peru has an excellent case and one which it might be sin to drop, and so has Ecuador. Respect for the wishes of the United States has prevented them from fighting on the issue; and since they have to this extent made a sacrifice to the United States of their instincts, some responsibility for the result must have been shifted from them to her.

Faced with questions of principle the United States is of two minds: she is anxious that the oppressed man should retain his rights and also that the vigorous man should not be unduly thwarted. Called upon, at any moment in time, to judge between the two she will usually say that what has been done cannot be undone, but that for the future she will apply shackles and pulleys. Perhaps this is what she would like to do in the present case; but if so, the litigants are not pleased and will not (as yet) comply.

Given that the Royal Audiencias were indeed the origins of the new States (and when we remember that the exceptions to this rule, Uruguay and Paraguay, came about because the Spanish Organization in the east was still undeveloped at the time of Independence, it is very hard to deny this) then the democratic thesis must maintain that they are inviolable, that Ecuador has been oppressed, and that not only Jaen and Maynas, but also Pasto (Colombia) must be restored to her.

But if the democratic thesis is not to be held to the letter and if the claims of more effective organization are to be allowed to creep in on it, then it is Peru who is able and willing to develop the Oriente, and it is to her that it should belong.

Tumbes is now in the hands of a technical commission that is trying to decide if and by how much the river Zarumilla has changed its course. Jaen, in view of the fact that it still grows tobacco and still finds it most natural to sell it in Lima, will turn towards Peru. We are left with the Oriente.

If we admit that the historical question of the Oriente is so tied up that it

is neither possible nor useful to try and untie it and that the political question is too momentous to bear discussion, there always remains the geographical. And it is quite likely that the geography will be decisive.

There are two obvious considerations: the eternal difficulty of reaching the Oriente from Ecuador, and, given the fact of Ecuador's sovereign existence, the unfairness of cutting her off for ever from the Amazon basin. But there is a third geographical consideration and one which is not seen on the map: the climate of Ecuador at once gives her everything she needs and discourages her from outside undertakings. It is unlikely that she would ever want to turn very seriously to the Oriente.

Then there is the question of existing communications. Now that airplanes are being used both sides can claim that many points are connected with the capital. This is true in so far as posts and medicine are concerned, but no country can be developed by air alone. It takes a fortnight to a month for heavy traffic to reach the Maynas General Command, either by mule and boats, or by ship half round South America and up the Amazon. But Peru has reduced this by building a road from Lima to the headwaters of the Ucayali at a point which can be reached by ships of 3000 tons register, and in this way Iquitos, the one town in the whole Command, can be reached in five days from Lima. Further to this another road is being built to Yurimaguas on the Huallaga, and these two should put Peru in a position to restore the Command to the state of civilization that it was in under the Jesuit Fathers in the seventeenth century.

When it comes to the drawing of the line itself, Ecuador prefers that it should follow the course of the rivers, if not the Marañón, then the Pastaza and the Putumayo; but Peru, that is intent on keeping Ecuador out of the whole system, calls for a line which runs through the headwaters of all the rivers at the point where they cease to be navigable. In general, a watershed makes a better boundary than a river, but in land like the Oriente, which is flat and thick with trees, there are probably no watersheds, and if there were they would be impossible to mark. Since water is only too common and no one is likely to want to make dams or do irrigation, and since a boundary you can see is always better than one which you cannot, perhaps Ecuador's suggestion is the best. The point is one for a technical commission, and until it has been decided the American Continent must wait for her share of the rubber and the timber and the oil that lies buried in those provinces.

RECONSTRUCTION AND DEVELOPMENT IN POLAND, 1930-

SIR JOHN RUSSELL, F.R.S., Director, Rothamsted Experimental Station

Meeting of the Society, 3 November 1930

THE years of my title have been chosen as visits to Poland. I write of the country as I use the present tense where the past would be appropriate. The statistics throughout the paper are from the year book of Poland, 1937. Except where otherwise stated, the figures are for 1931 and crop data for averages of 1932.

It has been Poland's tragedy to have no natural outlet to the west but only to the north and the south. In her long and eventful history there have been expansions eastwards and westwards like the movements of a cork in water. It became definite after 1923, and had Poland become a great power, it might have become quite effective. The eastern region is a strip of Europe, lying between longitudes 22° and 24° E. from London to Holyhead, into which the surging waters of the east and from west have compacted more nations than in the world; seventeen principal races and a host of smaller ones along a stretch no longer than the return journey to the Shetlands.

Of the several nationalities in these eastern lands the most important are the Ruthenians, the Jews, the Germans, and the Poles. The Ruthenians inhabit a belt of country running from the Polish border and they are divided between Poland and Romania. There are several groups which are common: the White Ruthenians of the north, the Ruthenians of Wolyń and Galicia; the Huculs, the main body of the White Ruthenians are Greek Orthodox Catholics; their upper classes always freely intermarried with the peasants remained more distinct. The Red Ruthenians. In recent years a political division has appeared between the Ukrainians, who are aiming at an independent state, and the Poles. The demand for independence for the Ukraine was severely repressed. The Poles admit the right of free national development, free schools and co-operative societies. Political divisions appeared between 1920 and 1935, when there were political divisions of nothing of them in the northern regions. It is abundant in any frontier on purely ethnographical lines; indeed, it did not classify themselves on national lines, but the population is of similar structure throughout: in the west is preponderate; in the country, Poles and one of the very few Jews. In Tsarist times this had been the case, the landowners were mainly Poles and the Ruthenian

Frontera PERU-ECUADOR

A poco de perfeccionado el Protocolo de Río de Janeiro de 1942 empezó la demarcación de la frontera peruano-ecuatoriana. Para el efecto, fueron designados dos Comisiones Mixtas Demarcadoras Peruano-Ecuadorianas, una para la Sección de Occidente de dicha frontera (desde el Océano Pacífico hasta la intersección del límite por el paralelo de 4°30' sur) y otra para la Sección de Oriente (desde la indicada intersección hasta el río Putumayo). La primera de las mencionadas comisiones Mixtas tuvo como Presidente al Coronel Bernardino G. Vallenas (Perú) y al Coronel Carlos Pinedo (Ecuador), y la segunda fue presidida por el Capitán de Navío José Félix Barandiarán, el doctor Carlos Echevarría y los Capitanes de Navío Víctor F. Escudero, Enfilio Barrón y Francisco Tudela Salas (Perú) y por los ingenieros Luis G. Tuñón y Rafael Hidalgo (Ecuador).

Cuando las tareas fueron llevadas a la práctica surgieron dificultades y diferencias para la fijación de la línea en las zonas de la desembocadura y curso bajo del Zaramilla, del Alto Payungo, de Cazaderos y del Nudo de Sabanillas en la sección de Occidente; y en las zonas de la Cordillera del Góndor, de la confluencia del Yauipi con el Santiago, del lugar de Bellavista en el río Curaray y del curso superior del Lagartococha. Puestos esos casos en conocimiento de los Estados Garantes del Protocolo, éstos confiaron al Ministro de Relaciones Exteriores del Brasil Oswaldo Aranha, la misión de buscar soluciones a tales dificultades y desacuerdos. Tras meritorias negociaciones, el Canciller brasileño logró que el Perú y el Ecuador aceptaran las soluciones que propuso y que quedaron consagradas en la llamada "Fórmula Aranha" (mayo de 1944). Por ese documento se indica el trazado definitivo de la frontera entre las zonas de la Sección de Occidente que habían sido objeto de diferencias o dificultades, y se sometió a arbitraje técnico del renombrado experto brasileño Capitán de Navío Braz Dias de Aguiar la definición de la frontera en las zonas de la Sección de Oriente que habían sido motivo de disconformidad. Dias de Aguiar emitió en julio de 1945 su fallo o dictamen indicando el lindero para los tramos que le fueron confiados en arbitraje. Las resoluciones arbitrales fueron aceptadas por ambos países.

Con sujeción al Protocolo, a la "Fórmula Aranha" y a lo dispuesto por Dias de Aguiar se llevó en efecto la demarcación de la frontera peruano-ecuatoriana casi íntegramente. Cuando sólo faltaba instalar dos o tres hitos en la zona de la Cordillera del Góndor, en plena ejecución del parecer emitido para ese sector por el árbitro brasileño, el Gobierno del Ecuador, de manera absurda e improcedente, contra la realidad, que el divortium aquarum entre el Zaramo y el Santiago no existe. La renuencia ecuatoriana es totalmente infundada, pues la existencia de dicho divortium es innegable, como lo demuestra el levantamiento aerofotográfico preparado por las Fuerzas Aéreas de los Estados Unidos y entregado al Perú y al Ecuador en 1947. Además, después de haber examinado dicho levantamiento y de reconocimientos en terreno, los integrantes ecuatorianos de la Comisión Mixta Demarcadora de Límites de la Sección Oriental en pleno reconocimiento, en fecha de setiembre de 1948, que el propio divortium aquarum existe y que la demarcación en el terreno puede finalizarse con referencia a ese accidente geográfico y en aplicación del fallo arbitral.

En virtud de la demarcación efectuada en la Sección de Occidente de la frontera peruano-ecuatoriana, el límite puede ser así descrito en sus términos esenciales:

Comienza en el canal de Capones, en el Océano Pacífico, pasando entre las islas Payana y Tembheque (Ecuador) y Correa y Matapalo (Perú), sigue por el thalweg del cauce viejo del río Zaramilla hasta el lugar de Dos Bocas, cerca de Chacras, y luego por el thalweg del cauce vivo del Zaramilla y de la quebrada Balsamal o Tajas, aguas arriba, hasta la boca de la Quebrada Cortina, sigue del mismo modo por esta quebrada hasta su nacimiento, y empalma con el curso de la quebrada Tapazola, por la que prosigue, aguas abajo, hasta el río Putumayo. Adopta el curso de este río en su thalweg, aguas abajo, hasta la boca de la quebrada de Cazaderos; sigue por el thalweg de la quebrada de Cazaderos, aguas arriba, hasta la intersección con el meridiano que pasa 2 kilómetros al Oeste de la Capilla de Mangaurco; continúa por este meridiano hasta la línea divisoria de aguas entre la quebrada de Cazaderos y el río Chira; se conforma con esta divisoria hasta encontrar la nacimiento más cercana de la quebrada Pilares. Sigue conforme el thalweg por esta quebrada y por el río Almorar aguas abajo, hasta el río Chira, por el que remonta hasta encontrar el Catamayo; luego prosigue por el Macará, el Calvas y el Espíndola, aguas arriba, hasta la nacimiento de éste más cercana de la boca del río Blanco; se dirige por una línea geodésica a esa nacimiento, y continúa por el curso del río Blanco y después por el del río Canchis, aguas abajo, hasta el Chinchipe; sigue el Chinchipe, aguas abajo, hasta la boca de la quebrada o río San Francisco; prosigue por la quebrada San Francisco, aguas arriba, y luego por la Cordillera del Góndor situada entre la cuenca del Zaramo (Ecuador) y la del Cenepa (Perú).

En la parte en que el cauce viejo del río Zaramilla es frontera, se ha construido un canal internacional para el suministro de aguas, considerando las necesidades de la margen ecuatoriana, de acuerdo con lo dispuesto en la "Fórmula Aranha".

Las coordenadas relativas a los puntos de esa frontera de la Sección de Occidente para la que han colocado hitos son las siguientes:

Nº	HITO	LATITUD SUR	LONGITUD W.
1	Capones (P)	3°23'33"96 S.	80°19'16"31 W.
2	Payana (E)	3°23'33"96	80°19'16"31
3	Oeste Correa (P)	3°24'30"44	80°17'48"37
4	Centro Correa (P)	3°24'55"64	80°16'41"59
5	Isla Nueva (E)	3°24'58"10	80°15'30"60
6	Polkos (E)	3°25'44"80	80°14'11"90
7	Grau (P)	3°26'28"13	80°13'45"75
8	Hualaco (E)	3°27'00"62	80°14'05"70
9	José María (E)	3°27'30"38	80°14'37"02
10	José María (P)	3°27'30"38	80°14'37"02
11	Jeli (P)	3°27'56"08	80°14'58"24
12	Jeli (E)	3°27'56"08	80°14'58"24
13	Palma de Romero (E)	3°28'36"10	80°14'50"60
14	Huacillas (E)	3°28'56"09	80°15'02"41
15	Agua Verde (P)	3°28'56"09	80°15'02"41
16	Barrezueta (P)	3°29'13"79	80°14'37"48
17	Barrezueta (E)	3°29'13"79	80°14'37"48
18	Loma de Saavedra (E)	3°30'00"61	80°14'14"78
19	Loma de Saavedra (P)	3°30'00"61	80°14'14"78
20	Loma del Zorro (P)	3°29'59"61	80°13'33"68
21	Vallejo (P)	3°30'48"52	80°13'23"18
22	Vallejo (E)	3°30'48"52	80°13'23"18
23	Dornajo (E)	3°31'38"00	80°13'09"30
24	Dos Bocas (E)	3°32'25"30	80°13'07"70
25	Dos Bocas (P)	3°32'25"30	80°13'07"70
26	Chacras (E)	3°33'05"30	80°12'48"90
27	El Huaco (P)	3°34'24"40	80°13'29"90
28	El Huaco (E)	3°34'24"40	80°13'29"90
29	Palmales (P)	3°39'23"70	80°11'41"20
30	Palmales (E)	3°39'23"70	80°11'41"20
31	Quebrada Seca (P)	3°41'17"97	80°12'25"14
32	Quebrada Seca (E)	3°41'17"97	80°12'25"14
33	Lajas	3°43'27"44	80°11'29"35
34	Intermedio Lajas (P)	3°47'11"85	80°11'21"67
35	Cortina (P)	3°48'34"47	80°10'00"47
36	Cordillera Larga	3°50'31"10	80°10'04"00
37	Figueroa (P)	3°52'10"70	80°09'59"50
38	Trapazola (E)	3°53'22"00	80°08'06"70
39	Murciélagos (P)	3°55'33"70	80°11'11"90
40	Conventos (E)	4°01'00"20	80°18'10"60
41	Cazaderos-Tumbes (E)	3°58'54"90	80°24'19"90
42	Cazaderos-Tumbes (P)	3°58'54"90	80°24'19"90
43	Progreso (E)	4°02'04"90	80°27'49"70
44	Cazaderos (E)	4°05'14"10	80°29'26"40
45	Norte Meridiano o Cuervera	4°07'47"30	80°27'23"90
46	Huarguayo o Intersección Meridiano	4°09'16"80	80°27'23"90
47	Chorrillos	4°10'51"90	80°27'23"90
48	Sur Meridiano	4°12'34"60	80°27'23"90
49	Chorrera	4°13'08"10	80°25'01"00
50	Pulgueras	4°11'52"20	80°22'31"90
51	Ceibo Quemado	4°12'54"90	80°20'13"90
52	El Salto	4°11'55"60	80°19'11"70
53	Catana (P)	4°16'47"80	80°22'30"80
54	Papayo-Pilares (P)	4°22'00"50	80°27'06"60
55	Pilares-Almorar (E)	4°28'01"90	80°24'53"20
56	Chira-Almorar (E)	4°29'15"20	80°23'43"30
57	Quiroz (E)	4°25'55"00	80°17'59"80
58	Pampa Larga (P)	4°23'23"00	80°15'01"40
59	Zapotillo (E)	4°23'23"00	80°15'01"40
60	Teodora (E)	4°22'20"40	80°13'43"70
61	Chiqueros (E)	4°20'12"20	80°11'43"60
62	Catamayo (E)	4°17'11"90	80°08'56"60
63	Laguar	4°20'00"20	80°03'14"70
64	Cachaco (P)	4°22'53"40	79°59'41"30
65	Macará (E)	4°23'49"20	79°56'44"70
66	La Tina (P)	4°23'49"20	79°56'44"70
67	Cucuyas (P)	4°27'47"70	79°51'01"40
68	Anchalay	4°29'22"20	79°48'29"70
69	Ceibal (P)	4°28'44"40	79°44'47"90
70	Samanamaca (P)	4°26'20"50	79°38'26"00
71	Chimbinuma (E)	4°29'46"20	79°35'15"20
72	Calvas (E)	4°31'36"00	79°33'02"20
73	Pindo	4°31'01"10	79°31'18"50
74	Amaluza	4°34'22"90	79°29'14"00
75	Toldo	4°37'28"80	79°29'45"50
76	Puente Espíndola	4°38'46"70	79°28'34"10
77	Bermejo (E)	4°40'59"70	79°27'56"90
78	Quingo (E)	4°43'31"81	79°26'55"70

79	Naciente Río Quingo (P)	4°44'53"30	79°26'07"02
80	Caballo Blanco	4°47'23"99	79°25'06"54
81	Naciente Río Blanco (E)	4°49'32"99	79°24'14"92
82	Chicute (P)	4°53'14"28	79°21'04"45
83	Loma Pelada (P)	4°55'02"00	79°18'30"60
84	Canchis (P)	4°57'59"04	79°16'27"89
85	Gramalote (E)	4°58'01"10	79°13'29"90
86	Colondro o Las Juntas	4°57'48"80	79°09'44"50
87	La Balsa	4°58'40"50	79°07'28"90
88	Namballe	4°58'44"40	79°06'28"80
89	Canchis-Mayo (E)	4°58'18"00	79°04'52"60
90	San Francisco (P)	5°00'56"80	79°01'22"90
91	San Francisco (E)	5°00'56"80	79°01'22"90
92	Irinuma (E)	4°58'09"50	78°59'59"10
93	Aguaatilla (P)	4°53'35"40	78°58'21"60
94	La Horquilla (E) o El Salto	4°53'26"70	78°54'59"10
95	Jesús	4°53'10"70	78°53'28"90
96	Tres Cumbres	4°46'50"20	78°54'48"60
97	La Cruz	4°41'18"80	78°51'38"30
98	Diviso	4°38'23"90	78°46'59"40
99	Trinidad	4°29'56"70	78°37'52"70

En cuanto a la Sección de Oriente de la frontera peruano-ecuatoriana, procede describirla de la siguiente manera de conformidad con la demarcación concluyentemente efectuada por la Comisión Mixta que tuvo a su cuidado esa zona.

Sigue por la Cordillera del Góndor (entre las cuencas del Zaramo y del Cenepa) hasta alcanzar el divortium aquarum directo entre el Zaramo y el Santiago; luego inflexiona ligeramente para alcanzar el divortium aquarum entre el Santiago aguas arriba de la boca del Yauipi y el Santiago aguas abajo de esa boca; prosigue por este divortium hasta la confluencia del Yauipi y el Santiago. De esta confluencia se dirige en forma de línea geodésica a la boca del Bobonaza en el Putumayo, y desde esta boca pasa en línea geodésica a la confluencia del Cunambo y Pintoyacu (formación del Tigre), incluyendo en territorio peruano breves tramos del Bobonaza y del Cunambo. Dicha confluencia prosigue, igualmente en línea geodésica, hasta la boca del Cononaco en el Curaray, arriba de la boca del Cononaco. Desde la confluencia de este río con el Curaray baja por el thalweg del propio Curaray, el lugar de Bellavista situado sobre la margen izquierda. De ese lugar continúa, en línea geodésica, a la boca Yasuni en el Napo. Sigue por el thalweg del Napo, aguas abajo, hasta la boca del Aguacico, y remonta este río su thalweg, hasta la desembocadura del Lagartococha. Adopta el curso del Lagartococha, según el thalweg, hasta su nacimiento, y sigue el meridiano de esa nacimiento hasta el Güepi. Continúa por el thalweg de este río, aguas hasta la confluencia con el Putumayo.

Las coordenadas geográficas correspondientes a los principales puntos de la demarcación efectuada en la Sección de Oriente son:

HITO	LATITUD SUR	LONGITUD W.
Corte Río Güepi (E)	00°07'10"00 S.	75°15'27"00 W.
Boca del Río Güepi (P)	00°09'54"56	75°23'59"47
Margen izquierdo Río Güepi Número Dos (E)	00°07'46"40	75°33'58"05
Número Tres (P)	00°06'46"54	75°36'40"12
Naciente del Río Lagartococha	00°11'32"96	75°36'40"12
Punto Intermedio Río Lagartococha (E)	00°17'51"17	75°28'16"01
Confluencia Quebradas Norte y Central (E)	00°23'32"06	75°25'03"56
Garzacoche (E) Río Lagartococha	00°27'54"12	75°20'42"41
Tambo Mori (E) Río Lagartococha	00°30'25"32	75°16'26"51
Redondococha (E) Río Lagartococha	00°33'38"87	75°13'53"47
Boca Río Lagartococha (P)	00°39'19"00	75°15'48"00
Boca Río Lagartococha (E)	00°39'19"00	75°15'48"00
Arrozal en el Río Aguacico (E)	00°47'08"00	75°16'15"00
Bifurcación, en la Boca Río Yanayacu (E)	00°53'09"00	75°13'39"00
Boca Río Yasuni (P)	00°55'55"00	75°23'18"00
Boca Río Yasuni (E)	00°55'55"00	75°23'18"00
Boca Río Aguacico (P)	00°57'56"00	75°11'49"00
Boca Río Aguacico (E)	00°57'56"00	75°11'49"00
Arcada (P)	00°59'18"00	75°17'50"00
Kilómetro 13.2, desde la Boca del Río Yasuni	01°02'51"25	75°25'12"83
Corte Río Nashio (P)	01°09'49"91	75°27'06"84
Corte Río Nashio (E)	01°09'49"91	75°27'06"84
Kilómetro 29.4 a partir del thalweg Río Curaray	01°17'39"62	75°29'17"69
Kilómetro 14.0 a partir del thalweg Río Curaray	01°25'41"84	75°31'30"61
Hito Número Dos I	01°32'54"96	75°33'02"80
Hito Número Dos II	01°32'57"81	75°33'30"80
Hito Número Uno I	01°32'59"04	75°33'31"10
Bellavista en el Río Curaray	01°33'01"80	75°33'31"90
Margen izquierda Río Cononaco	01°33'02"06	75°35'18"38
Margen derecha Río Cononaco	01°33'02"06	75°35'18"38
Corte Río Curaray	01°35'15"10	75°37'04"14
Kilómetro 19 desde el thalweg de Boca Río Cononaco	01°41'07"94	75°41'44"66
Kilómetro 46.2 desde confluencia Cunambo-Pintoyacu	01°47'56"58	75°47'09"54
Quebrada Arabella	01°54'07"10	75°52'04"15
Kilómetro 15 desde confluencia Cunambo-Pintoyacu	02°01'09"75	75°57'40"23
Margen izquierda del Río Pintoyacu	02°07'17"08	76°02'32"33
Confluencia de los Ríos Cunambo-Pintoyacu (P)	02°07'31"77	76°02'44"01
Margen derecha del Río Cunambo	02°07'46"35	76°03'02"49
Kilómetro 17.4	02°13'21"74	76°10'07"86
Kilómetro 38.2	02°20'20"64	76°18'59"23
Margen izquierda del Río Corrientes	02°23'59"00	76°23'36"16
Margen derecha del Río Corrientes	02°24'59"00	76°23'38"84
Kilómetro 58.8	02°27'13"92	76°27'43"41
Kilómetro 81.9, margen izquierda Río Bobonaza Corte Bobonaza	02°34'57"98	76°37'32"11
Boca del Río Bobonaza Margen izquierda (P)	02°35'30"25	76°38'13"05
Boca del Río Bobonaza	02°35'30"25	76°38'13"05
Isla Zolaluz Boca Río Bobonaza	02°35'42"62	76°38'49"34
Margen derecha del Río Pastaza	02°35'50"43	76°39'13"24
Curva del Río Pastaza Kilómetro 5.4 de la Boca del Río Bobonaza	02°36'27"38	76°41'00"66
Curva del Río Pastaza Kilómetro 6.9 de la Boca del Río Bobonaza	02°36'48"13	76°41'46"87
Checherta	02°40'15"32	76°52'09"05
Margen izquierda del Río Huasaga	02°43'27"25	77°01'34"84
Margen derecha del Río Huasaga	02°43'28"16	77°01'37"52
Margen derecha del Río Huaitoyacu	02°46'12"69	77°09'41"07
Margen izquierda del Río Situche	02°47'10"83	77°12'31"95
Corte Río Situche Referencia II, III y IV Corte	02°48'04"27	77°15'08"86
Margen izquierda del Río Situche 5 Corte	02°49'15"48	77°18'38"24
Kilómetro 30 desde el Río Morona	02°52'12"10	77°27'15"29
Kilómetro 15 desde el Río Morona	02°54'48"53	77°34'55"45
Margen izquierda del Río Morona	02°57'24"91	77°42'35"63
Margen derecha del Río Morona	02°57'24"91	77°42'35"63
Margen izquierda Quebrada Shaima	02°58'21"87	77°45'23"31
Margen derecha Quebrada Shaima	02°58'21"87	77°45'23"31
Hito de enfilamiento 3	A 230.71 m. de la confluencia del Río Santiago/Yauipi	
Hito de enfilamiento 2	A 132.99 m. de la confluencia del Río Santiago/Yauipi	
Confluencia de los Ríos Yauipi-Santiago	03°00'05"	77°50'27"
I Divisoria Santiago-Santiago	03°05'22"48	77°56'35"53
II Divisoria Santiago-Santiago	03°08'07"76	77°58'55"53
III Divisoria Santiago-Santiago	03°11'03"78	78°00'48"23
Mugose Sur	03°13'31"27	78°03'23"77
Punto Inicial	03°17'04"11	78°06'24"43
Referencia	03°23'04"47	78°11'19"93
5 de Noviembre	03°24'50"05	78°09'02"69
20 de Noviembre	03°28'55"04	78°08'28"39
Cunhuime Sur	03°30'17"31	78°11'22"90
Nayumbe-Teisha	04°07'16"96	78°34'17"81
Hito A Llave Mazza	04°12'39"61	78°35'34"45
Achuime-Numbakaine	04°18'20"20	78°38'05"40
Llave de Numbakaine-Achuime	04°21'12"40	78°39'09"70
Hito Empalme	04°25'00"10	78°37'11"70
	04°29'20"20	78°38'02"10

El reducido tramo en que todavía no se han instalado hitos - que en realidad no serían sino dos o tres el situado entre los hitos "20 de Noviembre" y "Cunhuime Sur", definitivamente inaugurados. En verdad no falta colocar hitos en dicho tramo, ya que existe para identificar la frontera una muralla natural, que es la Cordillera del Góndor.

Abreviaturas:

P - Hito en territorio peruano

E - Hito en territorio ecuatoriano

I - Hito en la línea internacional

Revisado en la Dirección de Fronteras y Límites del Ministerio de Relaciones Exteriores.